Annual Report

YEAR ENDED MARCH 31, 1985

Alberta

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Annual Report

YEAR ENDED MARCH 31, 1985

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Alberta
ATTORNEY GENERAL

Alberta

ATTORNEY GENERAL AND
GOVERNMENT HOUSE LEADER

Office of
the Minister

403/427-2339

227 Legislative Building
Edmonton, Alberta, Canada
T5K 2B6

November 25, 1985

The Honourable G. Amerongen, Q.C.,
Speaker,
Legislative Assembly of Alberta,
325 Legislature Building,
Edmonton, Alberta.
T5K 2B6

Dear Mr. Amerongen:

I have the honour to submit the annual report of the Department of the Attorney General for the year ended March 31, 1985.

Respectfully submitted,

Neil Crawford

Neil Crawford, Q.C.
Attorney General

Alberta

ATTORNEY GENERAL

Office of
the Deputy Attorney General

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9833-109 Street
Edmonton, Alberta, Canada
T5K 2E8

November 18, 1985

The Honourable Neil Crawford, Q.C.,
Attorney General of Alberta,
227 Legislature Building,
Edmonton, Alberta
T5K 2B6

Dear Sir:

I am pleased to present the annual report of the Department of the Attorney General for the fiscal year April 1, 1984 to March 31, 1985.

Respectfully submitted,

D.W. Perras
Deputy Attorney General

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THE ADMINISTRATION OF JUSTICE IN ALBERTA

Duties And Responsibilities Of The Attorney General

Courts in Alberta

Duties And Responsibilities Of The Attorney General Of Alberta

Since Confederation, the provincial department of the Attorney General has, in practice, "administered justice" in the broadest sense, irrespective of whether the laws being administered fell legislatively within the purview of provincial legislatures or the federal Parliament. This is reflected in the provision of police services and enforcement agencies responsible to the provincial Attorney General for the investigation, detection and control of crime within the respective province and in the maintenance of staffs for the prosecution of all types of infractions, whether within the purview of provincial legislatures or the federal Parliament. In this way, the provinces have perpetuated since Confederation the comprehensive powers in the administration of justice which they enjoyed and exercised in pre-Confederation times and which the framers of the British North America Act would seem to have intended them to continue to have. Explaining the British North America Bill in the British Parliament, the Earl of Carnarvon stated on 19th February 1867:

"To the Central Parliament will also be assigned the enactment of criminal law. The administration of it indeed is vested in the local authorities; but the power of general legislation is properly reserved for the Central Parliament".

In keeping with the exclusive power given to the provinces by the BNA Act in relation to certain matters, Alberta passed in 1905 the first Attorney General's Act which is found in the present-day statutes of Alberta in substantially the same form as it appeared in 1905. Section 2 of that Act deals in a more complex way with the scope of the responsibilities of the Attorney General of Alberta, giving due emphasis to functions performed by the Civil Law Division, Court Services and the Criminal Justice Division, as well as the Public Trustee, the Inspector of Land Titles, the Chief Medical Examiner, Legislative Counsel, the Director of Legal Research and Analysis and the Constitutional Law Section. Section 2 sets out specific responsibilities, which are not to be taken as exhaustive:

The Attorney General

(a) is the official legal advisor of the Lieutenant-Governor;

(b) shall ensure that public affairs are administered according to law;

(c) shall superintend all matters relating to the administration of justice in Alberta that are within the powers or jurisdiction of the legislature or the government;

(d) shall advise on legislative acts and proceedings of the legislature and generally advise the Crown on matters of law referred to him by the Crown;

(e) shall exercise the powers and is charged with the duties attached to the office of the Attorney General of England, by law or usage, in so far as those powers and duties are applicable to Alberta;

(f) shall advise the heads of the several departments of the government on matters of law connected with them respectively;

(g) shall settle instruments issued under the Great Seal of the Province;

(h) shall regulate and conduct litigation for or against the Crown or a public department in respect of subjects within the authority or jurisdiction of the legislature;

(i) is charged generally with any duties that may be at any time assigned to the Attorney General of Alberta by law or by the Lieutenant-Governor-in-Council;

(j) is responsible for the conduct of the matters hereinafter set out, the enumeration of which shall not be taken to restrict the general nature of any provision of this Act:

(i) the supervision of the administration of the law governing titles to real property in Alberta;

(ii) the recommendation of the appointment of and the giving of advice to sheriffs, registrars, judicial officers, justices of the peace, medical examiners, notaries public and commissioners for oaths;

(iii) the consideration of applications for bail and attendance thereon;

(iv) the consideration and argument of appeals from convictions and acquittals of persons charged with indictable offences;

(v) the hearing of applications for the granting of fiats regarding petitions of right, criminal informations, indictments, actions to set aside Crown patents, actions to recover fines and penalties and other actions of a similar nature;

(vi) the consideration of applications for the remission of fines and penalties;

(vii) the appointment of counsel for the conduct of criminal business;

(viii) the arrangement of the sittings of the courts of justice in Alberta and the regulation of the work of official court reporters;

(ix) the supervision of the offices of the courts of law in Alberta;

(x) the examination of papers in connection with the admission and discharge of persons to and from mental health facilities;

(xi) the consideration of proposed legislation and other matters of a public nature;

(xii) the drawing of special conveyances and instruments of a similar nature relating to the sale or purchase of property under any Act relating to public works or otherwise.

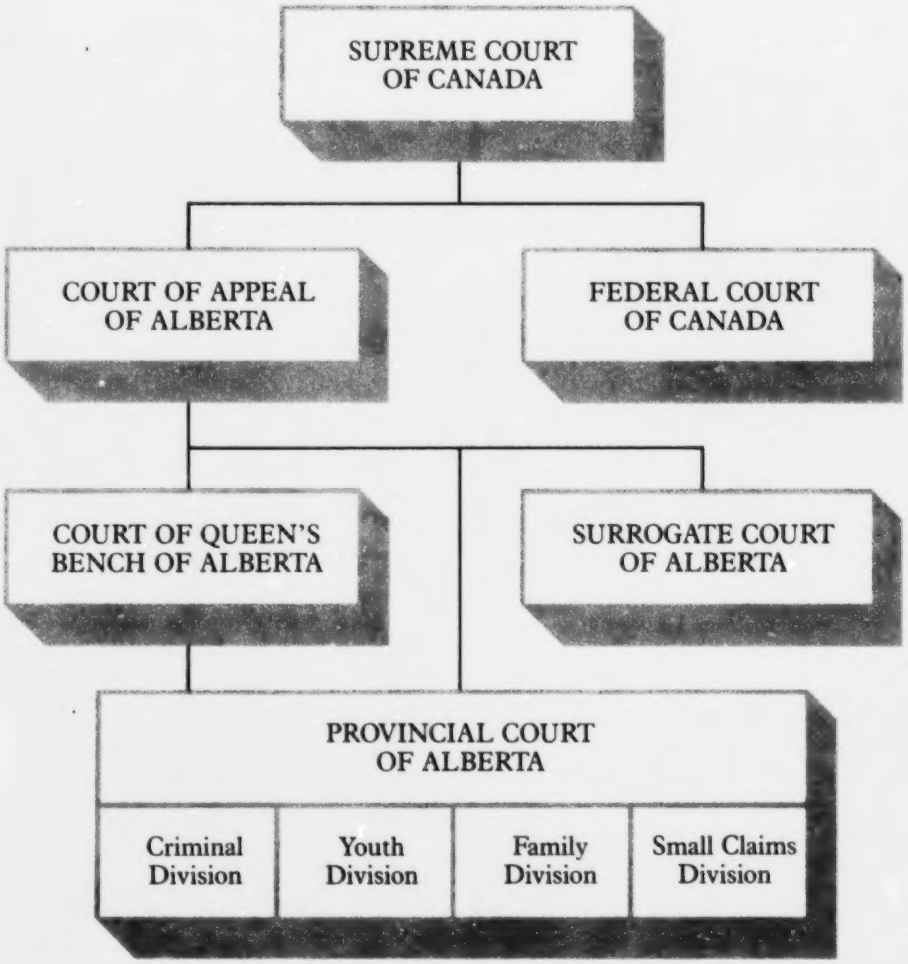
Courts In Alberta

There are four courts in Alberta, all constituted by provincial statute and administered by the Attorney General of Alberta:

The Court of Appeal of Alberta
The Court of Queen's Bench of Alberta
The Surrogate Court of Alberta
The Provincial Court of Alberta

Registries are also maintained by the Attorney General's staff for the Federal Court of Canada in Alberta.

The Supreme Court of Canada, although not constituted or administered provincially, is the court of last appeal for courts of provincial jurisdiction.



COURT OF APPEAL OF ALBERTA

Chief Justice of Alberta: J.H. Laycraft

The Chief Justice presides over the Court of Appeal of Alberta. In addition to the Chief Justice, the court consists of 11 Justices of Appeal appointed by the Governor- General-in-Council.

Appointments

On February 8, 1985, the Honourable Mr. Justice J.H. Laycraft became the Chief Justice of the Court of Appeal of Alberta. During this fiscal period, one additional justice was appointed.

Caseload Statistics

The number of civil appeals filed during the year increased very slightly to 870 from 865 in the previous year. The number of civil appeals heard decreased very slightly to 369 from 372.

The number of criminal appeals filed decreased by four per cent to 1,372 from 1,432 and the number of criminal appeals heard decreased by four per cent to 1,324 from 1,387.

Statistical details are provided in Table 1 on page 20.

COURT OF QUEEN'S BENCH OF ALBERTA

Chief Justice: W.K. Moore

The Chief Justice presides over the Court of Queen's Bench of Alberta. In addition to the Chief Justice, the court now consists of an Associate Chief Justice and 55 justices.

Appointments

During the fiscal period, an additional four justices were appointed.

Caseload Statistics

The number of civil and criminal trials heard increased during the year, but there were fewer civil cases commenced. Statistical details are provided in Table 1 on page 20.

SURROGATE COURT OF ALBERTA

Chief Justice: W.K. Moore

The Surrogate Court has jurisdiction in relation to testamentary matters and in the issuing of grants of probate and administration. It also has jurisdiction in the appointment of guardians.

The Chief Justice and the other justices of the Court of Queen's Bench of Alberta also sit as judges of the Surrogate Court.

Statistical details are provided in Table 1 on page 20.

THE PROVINCIAL COURT OF ALBERTA

Chief Judge: C.A. Kosowan

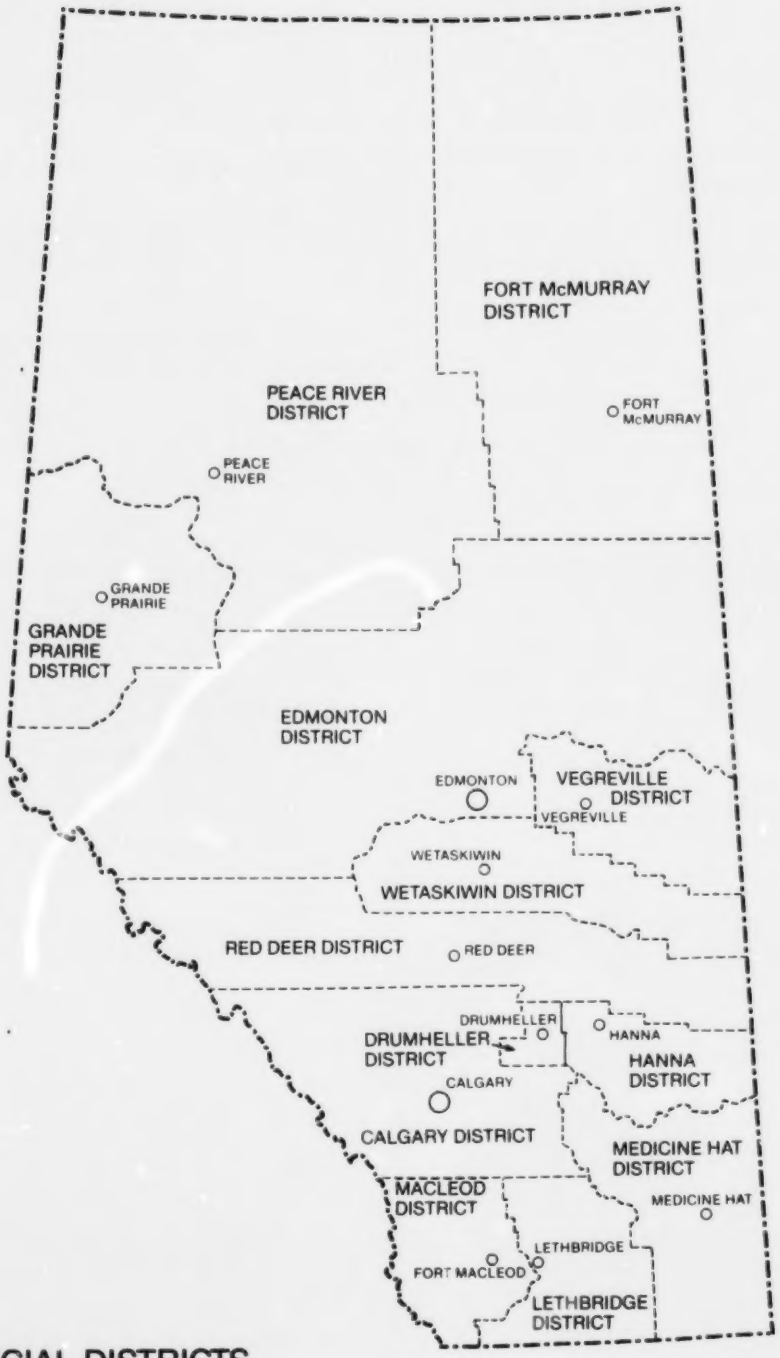
The Provincial Court exercises both civil and criminal jurisdiction: civil by virtue of the Provincial Court Act and The Landlord and Tenant Act, criminal by virtue of the Criminal Code and a variety of provincial statutes.

Judicial Appointments

Ten judges were appointed by the Lieutenant-Governor-in-Council, four for Edmonton, two for Calgary, three for Lethbridge and one for Red Deer. One supernumerary Provincial Judge was also appointed. The complement of judicial appointments now includes 108 permanent and four supernumerary positions.

Caseload Statistics

Statistical details are provided in Table 1 on page 20.



JUDICIAL DISTRICTS
PROVINCE OF ALBERTA

THE DEPARTMENT OF THE ATTORNEY GENERAL OF ALBERTA

Highlights of 1984-85

Organizational Chart

Division Reports

- Civil Law
- Criminal
- Administration
- Special Sections
- Boards and Agencies

Highlights of 1984-85

The constitution and federal legislation were major influences on the administration of justice in our province during 1984-85. The continuing impact of the Charter of Rights and Freedoms, for example, was felt in our Constitutional, Criminal and Energy law branches, whose lawyers often appear in the Supreme Court of Canada on constitutional issues. Also, the Young Offenders Act affected our Family and Youth Branch.

An important initiative during the year was the preliminary development of a program to enforce maintenance orders, such as those providing for child support. Research was conducted in other jurisdictions, Alberta Social Services and Community Health was consulted, discussions were held with various interest groups and legislation was drafted and presented to the spring session of the Legislative Assembly.

New provincial legislation in 1984-85 included the Chattel Security Registeries Act, which is administered by the Personal Property Registration Branch. In total, our Legislative Counsel Office handled almost 100 new provincial Acts, four times that number of regulations and more than 900 Orders-in-Council during the year.

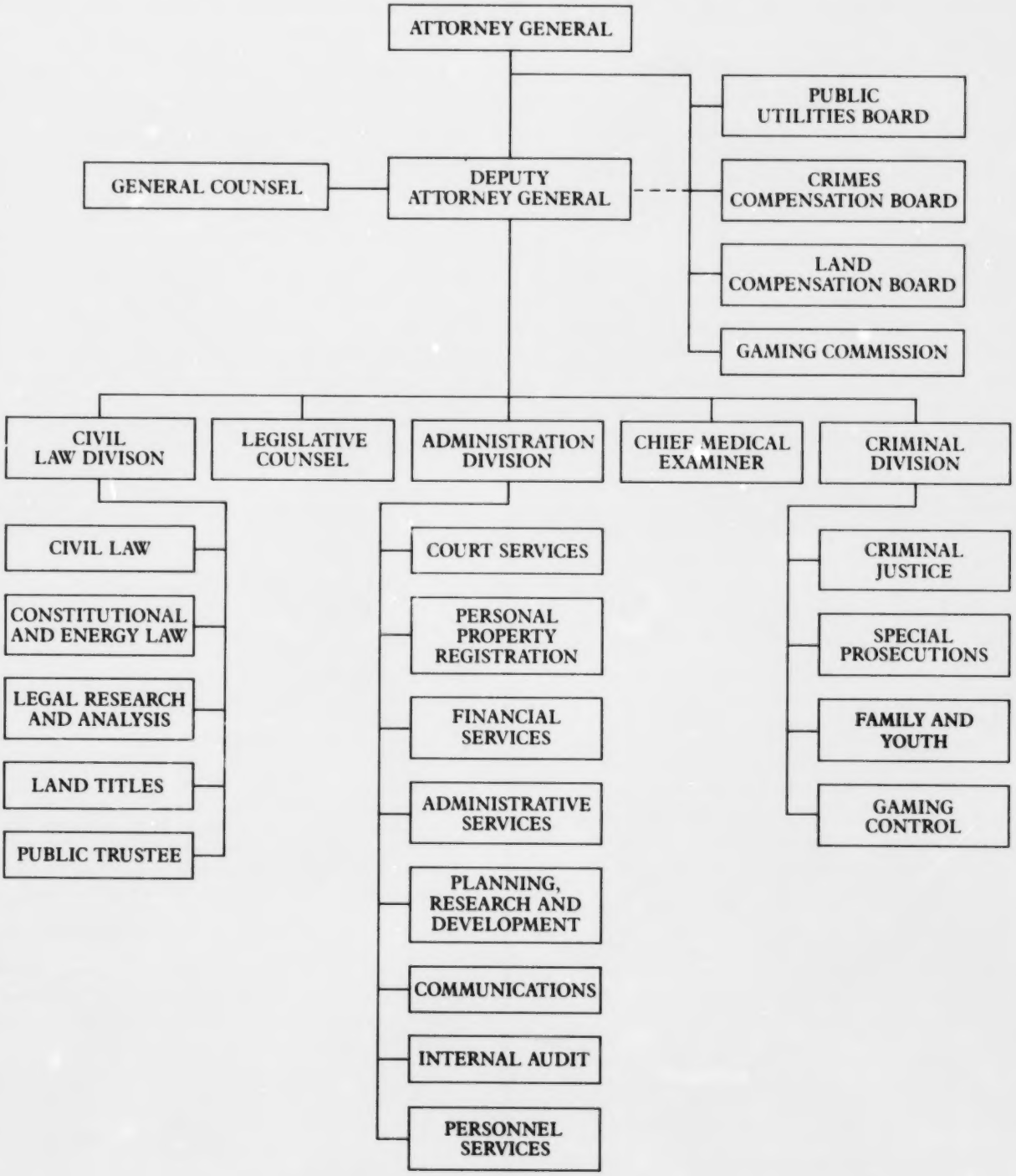
The Office of the Chief Medical Examiner launched a program seeking donations of human tissue, concentrating on cornea donations but requesting skin and bone transplants as necessary. The Office investigated 3 701 deaths during the year, which resulted in the Fatality Review Board ordering 69 public inquiries.

The Crimes Compensation Board made 501 decisions during the year, resulting in 484 awards to victims of violent crime. Payments of almost $1 million were authorized.

New Court facilities were opened in Provincial Buildings in Bow Island and Rocky Mountain House, and the Law Courts Annex was opened in Calgary.

The efficiency and dedication of the department's clerical, managerial and professional staff was at the heart of the achievements of 1984-85. Almost 1 000 staff members participated in departmental training programs during the year, indicating their continuing commitment to public service.

Organizational Chart



Civil Law Division

Assistant Deputy Minister: D.G. Rae

This division is responsible for the administration of the civil legal services provided by the department, including the provision of legal advice to the Crown.

CIVIL LAW BRANCH

A/Director: D.W.Axler

Lawyers within the branch act as legal advisors in civil matters to all departments and many government boards and agencies. They are required to prepare legal opinions, draft agreements and work on intergovernmental or interdepartmental committees.

Branch lawyers appear as counsel for the Crown in all courts of civil jurisdiction and as commission counsel in public inquiries under the Fatality Inquiries Act.

Staffing

Civil Law has a legal staff of 51 lawyers. There are four students at-law in the articling program.

Program Development

Civil lawyers attend in-service training programs and seminars sponsored by the Alberta Government Civil Lawyers Association and the Legal Education Society of Alberta, as well as meetings of the Alberta and Canadian Bar Associations.

CONSTITUTIONAL AND ENERGY LAW BRANCH

Director: N.D. Steed

The branch is responsible for providing to the government of Alberta legal advice on all constitutional law matters. The lawyers in this branch also represent the province in courts and tribunals when constitutional issues are raised.

Legal advice on constitutional issues is provided by way of legal opinions and by the participation of members of the branch on many departmental and interdepartmental committees. Existing and proposed Alberta and federal legislation along with government programs and policies are often reviewed by this branch for possible constitutional issues. The branch was involved over the past year in the review of all Alberta legislation for the purpose of identifying possible conflicts with the Charter of Rights and Freedoms. Requests for legal opinions concerning the application of the Charter of Rights and Freedoms have increased steadily over the past year as government departments have become more conscious of the potential scope of the Charter.

The lawyers in this branch represent the province in all courts throughout the province wherever constitutional issues are raised. The branch also represents the province when Bill of Rights arguments are raised. Cases involving the Charter of Rights and Freedoms make up approximately one-half of the constitutional cases being handled by the branch. The number of Charter cases in which the branch has been involved has increased over the course of the year. Legislation requires that the Attorney General be notified when parties to a civil or criminal proceeding intend to challenge the constitutional validity of legislation. He then may elect to appear as an intervener in the proceedings, generally for the purpose of defending the constitutional validity of the legislation.

Whenever a constitutional question is to be argued in any case before the Supreme Court of Canada, the Attorney General is given notice and is given the option of intervening in order to make submissions to the court on the constitutional issues. This branch represents the Attorney General when he intervenes in such cases.

Over the past year the Attorney General has formally indicated his intention to intervene on constitutional issues in eight cases in the Supreme Court of Canada. The great majority of these are cases involving the application of the Charter of Rights and Freedoms. The branch represented the Attorney General in four cases which were argued in the Supreme Court over the past year.

LEGAL RESEARCH AND ANALYSIS BRANCH

Director: C.W. Dalton

The branch researches and analyzes statute law, judicial decisions and legal periodicals, and provides the Attorney General with legal advice on law reform and policy planning. Staff now serve on interdepartmental committees studying law reform, professions and occupations, the joint Alberta Government/Law Society Committee for Law Libraries in Alberta, the Institute of Law Research and Reform, and the Uniform Law Conference of Canada. The branch maintains liaison with other law reform bodies.

During the year, the branch developed legislation relating to the Judgment Interest Act, the Exemptions Act and the Public Utilities Board Act. It was also involved in continuing research projects in personal property security, builders' liens, judicial review and land titles.

LAND TITLES BRANCH

Inspector of Land Titles Offices: K.B. Payne

Alberta is divided into two land registration districts. The Land Titles Office for the south is located in Calgary and the northern office is in Edmonton.

The branch is responsible for the examination and registration of land-related documents, issuance and updating of titles, custody of original documents and titles, and provision of searches of both titles and documents to the public.

The volume of documents registered decreased by 12 6 per cent over the previous year. Survey plan registrations declined by 26.4 per cent and search activities dropped by 2.8 per cent from the 1983-84 level. The number of titles endorsed with tax notifications was 6.9 per cent less than in the previous year.

PUBLIC TRUSTEE BRANCH

Acting Public Trustee: J.E. Klinck

The Public Trustee's office provides three main services to Albertans.

Firstly, the Public Trustee protects the assets and financial interests of missing persons and children under 18 years of age by acting as guardian of their estates.

Secondly, the Public Trustee acts as trustee of the estates of dependent adults who are legally unable to handle their own business affairs by reason of mental or physical disability.

Lastly, where a person dies intestate having no relative in the province, or where the next-of-kin are not prepared to administer the estate, or request the Public Trustee to act, the Public Trustee will serve as administrator of the estate.

New guardianship administrations decreased in 1984-85 by 9.5 per cent. In the majority of cases, each administration involved a number of children who had individual interests in the estate of a deceased person. Many trusts were also opened for minors who received personal injury accident awards under court orders or settlements resulting from legal actions where the death of a parent resulted from the negligence of a third party. Accountings were made to minor beneficiaries as they attained 18 years of age and assets held in trust by the Public Trustee were delivered to them.

There were 427 new administrations opened by the division responsible for the protection of dependent adult estates, compared with the 428 opened during the previous year. The number of deceased estate administrations commenced increased 14.3 per cent to 697 from 610.

Overall, new trust administrations decreased 2.1 per cent to 2,218 from 2,267. There were 14,451 administrations in process as of March 31, 1985, compared to 14,019 at the beginning of the fiscal year. An increase of 11.3 per cent in the number of trust cheques issued reflects a continuing escalation in the size and complexity of deceased estates and additional activity in serving the needs of dependent adults who receive benefits under the Assured Income for the Severely Handicapped program.

The trust balance sheet, shown in Table 3 on page 22, provides a comparative analysis of assets and liabilities of estates and trusts under direct administration by the Public Trustee.

Cash deposits to Public Trustee bank accounts increased by 3.6 per cent to $202.4 million from $195.3 million. Trust assets, as recorded for administrative purposes, increased by 11.2 per cent to $169.3 million from $152.2 million.

Criminal Division

Assistant Deputy Minister — M.N. McCrank

This division is responsible for providing legal services relating to criminal justice in all levels of court throughout the province.

CRIMINAL JUSTICE BRANCH

Director: R.H. Davie

The branch provides prosecutorial services through offices located in Edmonton, Calgary, Lethbridge, Grande Prairie, Red Deer, Drumheller, Medicine Hat, Peace River, Vegreville, Wetaskiwin, Fort McMurray, St. Paul and Hinton. Head Office in Edmonton provides managerial direction, guidelines on law and procedures, and addresses the broader criminal law issues that arise, together with providing a variety of administrative services to the field offices.

SPECIAL PROSECUTIONS BRANCH

Director: B.R. Fraser, Q.C.

The branch provides expertise in handling prosecutions involving commercial or corporate criminal conduct of a complex nature, cases involving organized criminal activity where a number of jurisdictions are involved, and criminal matters where there is a major involvement of a provincial government agency.

FAMILY AND YOUTH BRANCH

Director: J.R. Basey

The branch operates from both a criminal law and civil law perspective. Its general function is to co-ordinate and consolidate the provision of diverse civil (family) and criminal (youth) legal services.

The civil mandate of this branch is to provide legal representation and advice for departments of the government requiring such representation in the areas of maintenance collection and child welfare. In Edmonton and Calgary, this service is provided by Crown Counsel of the Family and Youth Branch. In other locations, this service is provided by private agents. The branch is further engaged in the development and implementation of policies and procedures relating to maintenance collection and child welfare.

The criminal mandate of this branch is to prosecute persons between the ages of 12 and 18 with special reference to The Young Offenders Act (Canada) and The Young Offenders Act (Alberta). This mandate further includes the development and implementation of policies and procedures to be followed in the prosecution of young offenders throughout Alberta.

GAMING CONTROL BRANCH

Chief Inspector: W.W. McCall

Growth of licenced gaming has been constant since statistics collection began in 1974. The 1984 increase was 24.5 per cent, with 7,716 applications processed. Gross revenue increased by 19.4 per cent and net profit to licenced organizations rose to a new level of $51.8 million.

While the Alberta Gaming Commission is the licence-issuing authority and is responsible for overall policy, Gaming Control processes all applications, is responsible for enforcement of policy, performs all audits, inspections and investigations. Services are provided to the public from offices in Edmonton and Calgary.

Administration Division

Assistant Deputy Minister: C.R. Shank

This division is responsible for non-legal staff functions, and for providing the department with administrative support.

COURT SERVICES BRANCH

Executive Manager: R.B. Dunster

The branch provides administrative support, including court reporters, justices of the peace, sheriff's services, and law libraries to all courts in the province.

Staffing

The branch consists of 1,184 permanent full-time positions, including Provincial Judges and Masters-In-Chamber.

Court Automation Project

The Court Automation Project (CAP) continued to provide support to the administrators of Provincial Court and Court of Queen's Bench. Enhancements are planned which will provide additional information on workload and statistics.

Civil and Sheriff Entry System

The development of the Civil and Sheriff Entry System (CASES) continued this year with the completion of the design phase and the selection of suitable equipment for both the Calgary and Edmonton operations.

Young Offenders Project

In order to be responsive to the requirements of the federal Young Offenders Act, a study was initiated to identify a suitable system approach for possible future development. In the meantime, interim measures have been implemented .

Court Reporting Systems

Transcript production statistics are compiled on a calendar-year basis. During 1984, transcript orders totalled 1,132,168 pages, compared to 1,130,281 pages produced last year, 1, 097,601 pages in 1982 and 983,544 in 1981.

Clerk of the Court

Caseload statistics for the Court of Queen's Bench for 1984-85 and the comparative information for 1983-84 are shown in Table 1 on page 20.

Law Libraries

As the number of judges and lawyers throughout the province increases, the demand for legal information services grows.

In 1984-85 a total of 32,047 reference and research questions were answered in Edmonton and Calgary Queen's Bench (Law Society) libraries and 52,559 volumes were charged out.

The Provincial Court libraries, along with the Attorney General departmental library, have also seen an increasing demand for reference and research services, especially a substantial increase of complex research questions.

Sheriff's Office

The Sheriff and sheriff's officers are responsible for the service of court orders and documents, including jury summonses and writs effecting seizures and evictions. Activities are documented in Table 1 on page 20.

PERSONAL PROPERTY REGISTRATION BRANCH

Manager: P.J. Rose

On August 1, 1984 the Chattel Security Registries Act was proclaimed, replacing the 1980 Act and amending the Assignment of Book Debts Act, the Bills of Sale Act, the Conditional Sales Act and the Garagemen's Lien Act.

The most important change brought about by the new Act is the requirement for Financial Interest Statements or Amending Financial Interest Statements to accompany documents submitted for registration under these Acts.

Three months prior to proclamation, the branch mailed 16,000 Personal Property Registration Guides to users.This, accompanied by telephone information lines and half-day seminars, permitted a smooth transition to the new filing requirement.

As part of the transition to a computerized enviroment, the Central Registry began computerized searches on May 1, 1984. To provide these searches required the conversion of all active Central Registry records, a total of 671,898 registrations and amendments.

Vehicle Registry

The purpose of the Vehicle Registry is to record security interest documents and facilitate searches on motor vehicles, aircraft, trailers, oilwell drilling equipment and railway rolling stock

Since August 1 there has been an ongoing conversion of any documents that relate to Amending Financial Interest Statements filed after that date. To March 31, a total of 28,978 amendments had been converted in this fashion. Also during the year, the registry concluded the conversion of all registrations involving railway rolling stock and oilwell drilling equipment. An accelerated conversion of index cards, where one card represents one registration, began in January. When completed this summer, the registry will introduce partially computerized searches.

During 1984-85, 369,788 documents were registered and 407,187 searches were conducted, representing decreases from the previous year of 11 and six per cent respectively.

Central Registry

The Central Registry records security interest documents and conducts searches on all chattels not recorded in the Vehicle Registry. It is now fully computerized.

During 1984-85, 175,527 documents were registered and 136,689 searches were conducted. Compared to the previous year, this represents a 12 per cent increase in searches and a three per cent decrease in registrations. In addition 15,276 registrations and 9,702 searches were conducted under the Partnership Act.

Details of the activities of the Central and Vehicle Registries during the fiscal period are provided in Table 4 on page 22.

FINANCIAL SERVICES BRANCH

Manager: D. P. Medwid

The branch provides a financial support and advisory service to the department.

Financial Planning

This section is responsible for providing continuous financial analysis of departmental operations and for preparation and presentation of the annual budgets.

Financial Operations

There are two operating units in this section, providing the departmental link for the central processing of financial data:

1. Pay and Benefits. Coordinates commencements, terminations and changes in pay status for all departmental employees. Payroll costs for 1984-85 amounted to approximately $75 million, or 61 per cent of total departmental expenditure.
2. Revenue and Expenditures. Reports all departmental revenue collected by about 60 departmental operations throughout the province. Revenue for the year ended March 31, 1985 increased by $195,197 to $56,744,366. Revenue details are provided in Table 5 on page 23. The expenditure unit processes all non-payroll costs. Expenditure details inclusive of payroll costs are shown in Table 6 on page 24.

Financial Systems

The Systems Unit provides general financial advisory services to departmental managers and financial representation during the development of new or changing systems in the department.

The Central Finance Unit coordinates the collection and distribution of fines levied by the Courts. The fines levied are distributed to more than 350 municipalities and to the federal and provincial governments.

ADMINISTRATIVE SERVICES BRANCH

Manager: H.A. Brinton

The branch provides a variety of administrative services.

Special Services

This section is responsible for methods and procedural studies, the analysis and design of departmental forms and reports, maintenance of the forms management program and the operation of a reprographics unit. In addition to studies into the procedures of the judicial interim release system, support was provided to the Public Trustee information system for computer input forms and the development of the system procedures manual.

Forms and reports for the Young Offenders program were revised to meet the requirements of federal and provincial legislation.

Materials and Facilities

This section provides a central purchasing and supply service, administers all facility and accommodation projects for the department and coordinates departmental word processing systems.

New court facilities were opened in new Provincial Buildings in Bow Island and Rocky Mountain House. The opening of the Law Courts Annex in Calgary has helped relieve severe over-crowding in the Queen's Bench Courthouse. Construction of the new court complex in Medicine Hat is well under way, with completion scheduled for December, 1985.

Micrographic Services

This section provides microfilming, processing, editing and duplicating services to the department through laboratories in Calgary and Edmonton. A total of 6,452,884 camera exposures, creating micrographic records, were made last year.

Official Documents and Appointments

This section serves two primary functions: processing appointments and maintaining current files on the Province's 26,666 Commissioners for Oaths and 465 Notaries Public, and administering the Provincial Secretary's office.

PLANNING, RESEARCH AND DEVELOPMENT BRANCH

Manager: J.G. Gallo

The branch provides planning and research services and coordinates the development and implementation of electronic data and word processing systems.

The Research and Analysis Unit provides services to senior management and to the various divisions and branches of the department. The services include the planning, development and evaluation of projects, policies and programs; preparation of policy discussion papers and briefing materials; coordination of departmental analysis of various issues; management consulting and selected statistical research.

During the last fiscal year, Research and Analysis participated in studies of impaired driving, court security, mental health warrants, and trial coordination. The unit also provided planning, development and impact monitoring services in conjunction with the introduction of new legislation, ie., the Maintenance Enforcement Act, the Young Offenders Act and the Child Welfare Act. In addition, a quarterly Management Information Report was produced.

The Systems Unit is responsible for the planning and development of electronic data and word processing systems throughout the department. Specific data processing projects are described within the submissions of the various divisions and branches, and include such projects as Court Automation, Central and Vehicle Registry, Medical Examiner, Public Trustee, Alberta Land Titles, Criminal Justice Information System and various word processing systems.

COMMUNICATIONS BRANCH

Manager: D.J. McMann

The branch provides public relations consultation and communications services. This includes issues identification, media relations, coordination of displays and advertising, and production of printed material.

News Media Services

Among the 85 news releases distributed during the year, 73 concerned fatality inquiries. More than 1,000 enquiries from news reporters were received during the year, of which 223 concerned fatality inquiries.

Production Services

Seven different public information brochures were revised or reprinted during the year. In addition, the branch produced the department's annual report, the Alberta Court Calendar and various printed materials for seminars and conferences.

INTERNAL AUDIT BRANCH

Manager: E.T.N. Berg

The branch is concerned with the management control process and provides internal audit coverage of the department. Management is advised of program effectiveness and efficiency through an independent, systematic appraisal of departmental activities.

PERSONNEL SERVICES BRANCH

Manager: G.D. Dawson

The branch provides a full range of human resource services in the areas of recruitment and selection, classification, employee relations, staff development and personnel planning.

Selection and Classification Section

The Selection and Classification section provides consulting services to managers in the areas of selection, classification, organization structure and position control.

Through the process of matching vacancies with affected employees, this section was able to minimize the number of employees terminated as a result of organization downsizing.

Despite fiscal restraint and lower staff turnover, the volume of selection and classification transactions remained the same as in previous years.

Employee Relations Section

Routine contract interpretation and provision of advice on disciplinary action continue to be major functions of this section. Assistance was provided to department managers in implementing organizational downsizing.

Staff Development Section

The number of department courses delivered by this section continues to grow, with a total of 84 programs presented to some 997 participants. Programs included Managing Human Resources, Counter Skills, Supervision, Telephone Techniques, Job Description Preparation, Interpersonal Communications, Preparation for Promotional Interviews, and Employee Relations. Specialized programing in the para-legal area continues to be delivered to employees of Court Services.

This section is also involved in the provision of organizational consulting services to various branches of the department.

Personnel Statistics

Refer to Table 7 on page 24 for statistics on Selection and Classification transactions, and to Chart 1 on page 25 illustrating the department's employee deployment by region.

LEGISLATIVE COUNSEL OFFICE

Chief Legislative Counsel: P.J. Pagano

The Legislative Counsel Office drafted 93 public acts that received royal assent and prepared 912 Orders-in-Council passed by Cabinet during the year ending March 31, 1985. It also drafted the majority of the 391 regulations filed under the Regulations Act during that period. In addition, revision of the Alberta Regulations continued throughout the year.

OFFICE OF THE CHIEF MEDICAL EXAMINER

Chief Medical Examiner: J.C. Butt, M.D.

Medical Examiner System

The Chief Medical Examiner investigates unexpected or unexplained deaths, including all unnatural deaths occurring in the province. These categories represent about 35 per cent of all Alberta deaths. The Fatality Inquiries Act requires the Chief Medical Examiner to issue certificates approving cremation, shipment out of province, or anatomical dissection under the Universities Act. Approximately 150 medical examiners working on a fee-for-service basis conduct investigations. There are also full-time forensic pathologists in the Office of the Chief Medical Examiner. Ultra-modern, well-equipped Medical Examiner facilities are located in Edmonton and Calgary. The Calgary toxicology laboratory commenced operations in 1984.

The Chief Medical Examiner commenced a program in 1984 to solicit corneal tissue gifts in selected cases through consent of next-of-kin.

Education

The office continues to provide an education program directed primarily to medical persons, police officers and other personnel involved in the investigation of sudden death. A post-graduate program for pathology trainees commenced in 1984 with the University of Calgary Faculty of Medicine.

Death Notification

In the 1984 fiscal year there were 3,701 deaths investigated, compared with 3,853 in the previous period. Details of case-load volumes for 1984 are available in Table 8 on page 25.

Research Unit

The unit's primary function is to supply statistics to government, university and other agencies with an interest primarily in social and medical matters. Considerable emphasis is placed on the preventable aspects of sudden, unnatural deaths. This unit is unique in Canada and the information is in great demand, especially by social scientists.

Boards and Associated Agencies

CRIMES COMPENSATION BOARD

Chairman: B.V. Massie, Q.C.

Alberta's Crimes Compensation Board was established in 1969 to help victims of violent crime who suffer financial loss as a direct result of injuries.

During the last year, there were 330 applications for compensation. Of these applications, 294 were from individuals who had been injured and suffered loss; the remainder were for loss resulting from death, including claims for support by dependants.

The number of decisions made by the board totalled 501. Of these, 339 were final awards, 17 were refusals of claims and the remainder were interim or supplemental awards. The total compensation ordered by the board to be paid in the year was $952,727, including $280,305 in monthly payments for continuing liability.

The most frequent crimes giving rise to application were assault causing bodily harm (308), robbery with violence (48), assaulting a peace officer (10), murder (40), attempted murder (43).

Twenty-seven crimes involved the use of firearms, while 25 involved the use of knives. Approximately one-quarter of the applications resulted from excessive use of alcohol.

Periodic Payments

The board exercises authority to make awards involving periodic payments. Annual reviews by the board may change the amount of the payment to reflect changing circumstances. Over an extended period, the total of monthly payments may well equal the amount the civil courts might have awarded by way of damages. Several applicants would have been entitled to social assistance, but the payments by the board correspond more closely to the earnings they have lost as a result of a violent crime. At present, 49 victims are receiving monthly payments, ranging from $50 to $2,300.

FATALITY REVIEW BOARD

Chairman: K.E. Vik, M.D.

The Fatality Review Board is responsible for making the decision on whether to hold a public inquiry into a sudden death. The board is appointed by the Lieutenant-Governor-in-Council, and is composed of a lawyer, a physician and a lay person. The Chief Medical Examiner is an ex-officio member of this board.

Public inquiries are held before a judge of the Provincial Court of Alberta. There were 69 inquiries in 1984, compared to 56 in 1983.

ALBERTA GAMING COMMISSION

Chairman: D.I. Gardner

Established in January, 1981 as the provincial licencing authority for lottery schemes under the Criminal Code, the Alberta Gaming Commission licences bingos, casinos, raffles and pull-ticket sales conducted by charitable or religious organizations for charitable or religious purposes.

Additionally, the seven-member commission is responsible for reviewing gaming policy, providing information on licenced gaming to the public, and advising volunteer groups. If concerns or uncertainties have been identified in the departmental review of an application, representatives of the applicant have the opportunity to appear at one of the commission's regular public hearings. After considering all presentations and evidence appropriate to the application, the commission issues a licencing decision, with reasons.

The commission publishes and distributes an annual review summarizing each year's activities, including new developments and licenced gaming statistics for Alberta.

THE LAND COMPENSATION BOARD

Chairman: K.J. Boyd

The Land Compensation Board began the fiscal year with 120 active cases in its docket. During 1984, it received 62 additional applications, of which 44 were applications to determine compensation and 18 were applications by way of notice of motion asking the board to decide issues arising out of expropriation procedures.

The board heard 26 cases during 1984, issuing 11 orders determining final compensation for expropriated property and 15 orders on notices of motion. Thirty-seven cases were settled by the parties without need of formal hearings before the board. At the end of the year, 119 active cases remained in the docket.

All decisions of the board are given in writing, with reasons. Copies of each decision are filed with provincial courthouses and the law libraries of the University of Alberta and the University of Calgary. The board provides free copies of specified decisions on request.

The board consists of five members: a chairman, one full-time member and three part-time members. The board has a support staff of five.

LEGAL AID SOCIETY OF ALBERTA

Executive Director: B.J. Cavanaugh

The Legal Aid Society provides legal services in criminal and civil matters to financially eligible applicants. In criminal cases, coverage is available for all indictable offences, and for summary conviction offences where imprisonment or loss of livelihood is a potential result. Civil cases are covered in certain circumstances where the society believes the cost reasonable compared to relief sought and that the matter has merit of likelihood of success. Divorce-case services are provided in circumstances of compelling need. Where possible, clients contribute towards the cost of providing legal services and, generally, efforts are made to recover expenditures.

Management personnel of the society consists of an executive director, northern director (north of Red Deer), southern director (Red Deer and South), who are all members of the Law Society, as well as a financial services director and a program services director.

Policy is established by the Law Society of Alberta. The Board of Directors of the Legal Aid Society is responsible to the Law Society. The Board of Directors has 15 members, representing the Law Society of Alberta, the provincial and federal governments, and the public.

Funding

The Legal Aid Society received $11,168,000 from the government of Alberta, which will recover a portion of this amount from the government of Canada.

Activity

In fiscal 1984-85, the society received 30,686 applications for legal aid services, an increase of less than one per cent over the previous fiscal year. Over the same period, applications approved for services increased by 1.2 per cent to 19,132 from 18,900.

Service and Tariff

All client services and legal assistance are provided by members of the Law Society in private practice. They are appointed by the society to represent a specific client and act on a tariff of fees which seeks to represent one-third to one-half of the normal private fee ranges. Participation under this tariff represents the substantial contribution of the private bar to the provision of legal aid.

Receipts, Disbursements and Cost Factors

For the fiscal year 1984-85, the Legal Aid Society received $12,305,708, comprised of the $11,168,000 from government plus $767,684 from clients and other recoveries and $370,024 from interest and sundry sources.

Disbursements in the period totalled $11,458,755. Of that amount, 75 per cent, or $8,554,997, was accounted for by legal fees and disbursements. Salary and fringe benefit costs were 18 per cent and administrative costs were seven per cent of disbursed funds.

Recoveries, at $767,684, decreased two per cent from the fiscal year 1983-84. The average cost per case in criminal matters was $433, an increase of six per cent, and there were 14, 555 such cases completed. The duty counsel program assisted 19,464 persons on a recorded basis, an increase in activity of four per cent at a cost of $601, 602. The average cost per case was $30.91, a decrease of three per cent.

APPENDICES

Statistical Tables

- Court Statistics
- Land Titles Office
- Public Trustee
- Property Registration
- Financial
- Personnel
- Chief Medical Examiner
- Staff Distribution Chart

Acts Administered

Table 1

COURT STATISTICS
Caseload Statistics for Year-End March 31, 1985

Court of Appeal of Alberta

	1984-85	1983-84
Number of Civil appeals filed	870	865
Number of Civil appeals heard	369	372
Number of Criminal appeals filed	1,372	1,432
Number of Criminal appeals heard	1,324	1,387

Court of Queen's Bench of Alberta

Civil and Criminal Cases	1984-85	1983-84
Civil actions commenced (excluding divorce)	84,579	92,039
Civil trials heard (excluding divorce)	3,311	1,799
Petitions for divorce commenced	10,014	10,342
Decree nisi granted	8,772	8,404
Criminal trials heard	3,780	3,028
Summary conviction appeals filed	1,298	1,252
Summary conviction appeals heard	932	1,158

Sheriff's Office	1984-85	1983-84
Writs of execution filed	35,385	38,948
Distress warrants filed	21,252	25,555
Seizure activities	26,645	31,018
Process served	27,889	31,878

Surrogate Court of Alberta

	1984-85	1983-84
Applications for Probate Administration filed	6,304	6,343
Number of Grants of Probate issued	5,888	not available

Provincial Court of Alberta

Criminal Division	1984-85	1983-84
Number of Form A Tickets received	667,838	not available
Number of Charges received on Criminal Code Informations	196,600	not available

Family & Youth Division	1984-85	1983-84
Number of Youth charges	12,409	not available

Small Claims Division	1984-85	1983-84
Small claims filed	40,719	39,299
Landlord and Tenant Act applications filed	2,799	3,992

Table 2

Activities of the Alberta Land Titles Offices
For Year-End March 31, 1985

Type of Activity	1984-85	1983-84
Document Registrations		
Transfers	112,785	110,137
Mortgages	54,092	72,604
Caveats	70,640	74,645
Liens	15,826	18,084
Discharges	151,103	182,738
Easements & Utility Right-of-Ways	7,639	9,140
Miscellaneous	60,715	73,442
Total	**472,800**	**540,790**
Survey Plan Registrations		
Subdivision Plans	812	1,058
Condominium Plans	45	146
Road Plans	878	1,156
Right-of-Way Plans	1,708	2,339
Others	271	350
Total	**3,714**	**5,049**
Tax Recovery		
Titles Endorsed	12,706	13,645
Tax Notices Issued	25,384	28,564
Certificates of Titles Issued		
On Transfers	117,715	130,910
On New Subdivision Plans	5,044	8,021
On New Condominium Plans	2,806	9,292
Total	**125,565**	**148,223**

Table 3

Public Trustee
Trust Balance Sheet
For Year-End March 31, 1985

Assets		1984-85	1983-84
	Estate and beneficiaries assets		
	Consolidated investment fund		
	Cash in trust bank accounts	$ 712,460	$ 457,732
	Fund investments	127,863,808	109,764,483
		128,576,268	110,222,215
	Other estate assets		
	Direct investments	27,553,174	29,371,216
	Accounts and rent receivable	2,196,071	1,728,651
	Mortgages, agreements and notes receivable	1,342,672	1,435,309
	Real estate	8,463,891	8,665,615
	Miscellaneous assets	1,112,979	841,102
	Total	**$169,245,055**	**$152,264,108**
Liabilities			
	Estate and beneficiaries liabilities		
	Advances due to the Provincial Treasurer	$ 23,188	$ 17,278
	Accounts payable	2,922,988	2,083,588
	Mortgages and Agreements payable	1,079,536	1,380,733
		4,025,712	3,481,599
	Estate and Beneficiaries Capital	165,219,343	148,782,509
	Total	**$169,245,055**	**$152,264,108**

Table 4

Personal Property Registration Branch
Activities of the Central and Vehicles Registries
For Year-End March 31, 1985

Type of Activity	1984-85	1983-84
Documents registered		
Central	175,527	182,140
Vehicle	369,788	411,718
Encumbrance searches		
Central	136,689	122,333
Vehicle	407,187	432,818
Partnership Act		
Registrations	15,276	14,685
Searches	9,702	

Table 5

Financial Services
Unaudited Statement of Revenue for Year-End March 31, 1985

		1984-85	1983-84	Increase (Decrease)
Payments from Government of Canada				
	Legal Aid (1)	$ 4,243,749	$ 1,265,183	$ 2,978,566
	Legal Aid for Young Offenders	320,000	—	320,000
	Other	233,750	231,700	2,050
		4,797,499	1,496,883	3,300,616
Fees, Permits and Licences:				
	Land Titles	18,836,393	20,642,923	(1,806,530)
	Clerks of the Court Act	3,423,753	3,663,042	(239,289)
	Public Trustee Act	2,782,463	2,533,919	248,544
	Registrar's Assurance Fund (2)	1,240,109	1,497,958	(257,849)
	Sheriff's Act	1,257,970	1,509,354	(251,384)
	Central Registry	1,404,926	1,453,997	(49,071)
	Lottery Licenses	1,369,401	1,322,131	47,270
	Other	303,159	305,121	(1,962)
		30,618,174	32,928,445	(2,310,271)
Other Revenue:				
	Refunds of expenditure:			
	Salaries and expenses	103,992	78,486	25,506
	Previous years' refunds	127,469	15,284	112,185
	Statute Fines	19,547,906	21,096,404	(1,548,498)
	Miscellaneous	1,549,326	933,667	615,659
		21,328,693	22,123,841	(795,148)
	Total Revenue	**$ 56,744,366**	**$ 56,549,169**	**$ 195,197**

(1) During fiscal year 1983-84 the Criminal Legal Aid cost-sharing agreement was re-negotiated. The amended agreement eliminated the Government of Canada's contribution towards 1982-83 Legal Aid expenditures, which contribution becomes payable should the agreement be terminated prior to April 1, 1994. The elimination of this contribution in respect to 1982-83 is offset against the reported payments for 1983-84.

(2) Assurance fund surplus subject to transfer to Treasury.

Table 6

Financial Services
Unaudited Statement of Expenditures for Year-End March 31, 1985

	1984-85	1983-84	Increase (Decrease)
Minister's office	$ 200,298	$ 190,105	$ 10,193
General administration	6,317,463	6,333,936	(16,473)
Court support service	9,883,323	8,751,491	1,131,832
Court operations			
Calgary	13,806,840	13,765,678	41,162
Edmonton	16,103,690	15,561,532	542,158
Other locations	15,232,081	15,631,545	(399,464)
Crown counsel	12,994,312	12,127,244	867,068
Civil Law Division	6,242,838	6,857,040	(614,202)
Gaming Control	1,271,810	1,282,828	(11,018)
Other legal services	2,533,859	2,563,329	(29,470)
Legal Aid plan	11,168,000	10,421,000	747,000
Public Trustee	6,031,480	5,210,837	820,643
Personal Property Registration	3,863,303	3,739,062	124,241
Land Titles — Calgary	3,962,367	4,059,276	(96,909)
— Edmonton	5,348,826	5,285,757	63,069
Land Compensation Board	379,011	389,920	(10,909)
Medical Examiner	3,237,819	3,855,151	(617,332)
Crimes Compensation Board	1,129,776	1,127,323	2,453
Public Utilities Board	2,590,390	2,531,457	58,933
Gaming Commission	331,523	321,253	10,270
Total Expenditures	**$122,629,009**	**$120,005,764**	**$ 2,623,245**

Table 7

Personnel Services
Selection and Classification Transactions
For Year-End March 31, 1985

Selection Transactions		
	Competitions	184
	Appointments	
	New employees	152
	Promotions	73
	Transfers	89
	Total	**314**
Classification Transactions		
	New positions created	0
	Reclassifications	317
	Updates	293
	Total	**610**

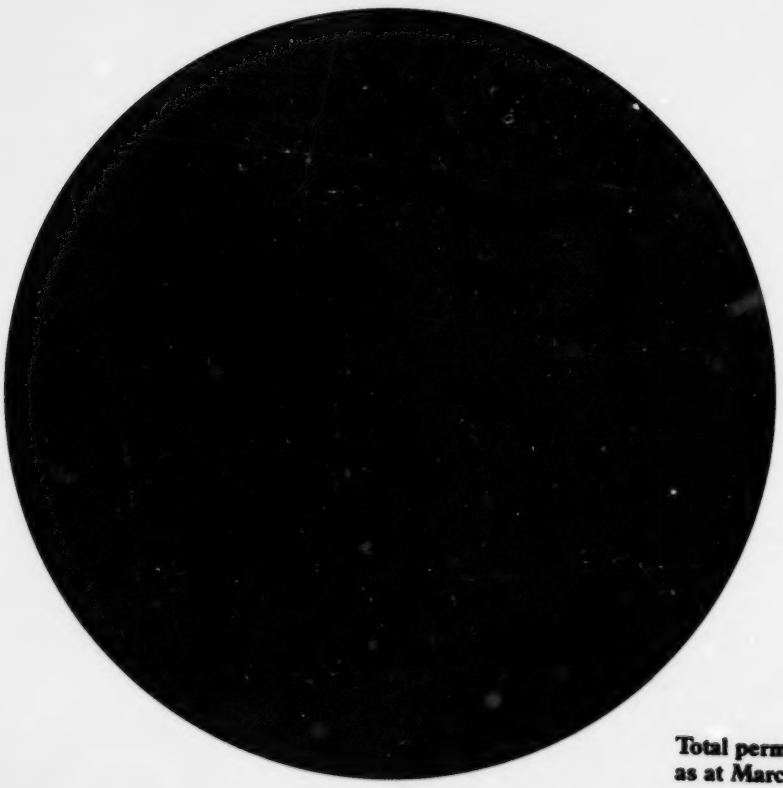
Table 8

Office of the Chief Medical Examiner
Deaths Reported For Year-End March 31, 1985

Manner of Death	Total Provincial 1984-85	1983-84
Natural	2,077	2,261
Non-Traffic Deaths	346	353
Traffic Accidents	501	441
Suicidal	421	424
Homicidal	57	54
Unclassified	142	182
Undetermined	61	65
Pending	96	73
Totals	**3,701**	**3,853**

Chart 1

Geographic Distribution of Alberta Attorney General Staff
Year-End March 31, 1985



Total permanent positions as at March 31, 1985: 2,462

Acts Administered By The Attorney General

Administration of Estates Act
Administrative Procedures Act
Age of Majority Act
Alberta Evidence Act
Alberta General Insurance Company Act
Alberta Lord's Day Act
Alimony Orders Enforcement Act
Arbitration Act
Assignment of Book Debts Act
Bills of Sale Act
Builders' Lien Act
Bulk Sales Act
Chattel Security Registries Act
Commissioners for Oaths Act
Conditional Sales Act
Contributory Negligence Act
Court of Appeal Act
Court of Queen's Bench Act
Criminal Injuries Compensation Act
Dangerous Dogs Act
Daylight Saving Time Act
Defamation Act
Department of the Attorney General Act
Devolution of Real Property Act
Domestic Relations Act
Dower Act
Alberta Evidence Act
Execution Creditors Act
Exemptions Act
Expropriation Act
Extra-provincial Enforcement of Custody Orders Act
Factors Act
Family Relief Act
Fatal Accidents Act
Fatality Inquiries Act
Fraudulent Preferences Act
Frustrated Contracts Act
Garagemen's Lien Act
Gas Utilities Act
Guarantees Acknowledgment Act
Innkeepers Act
Interpretation Act
Interprovincial Subpeona Act
Intestate Succession Act
Judgment Interest Act
Judicature Act
Jury Act
Justices of the Peace Act
Land Titles Act
Landlord's Rights on Bankruptcy Act
Law of Property Act [1]
Legal Profession Act
Legitimacy Act
Limitation of Actions Act
Maintenance Order Act
Married Women's Act
Masters and Servants Act
Matrimonial Property Act
Mechanical Recording of Evidence Act
Minors' Property Act
Notaries Public Act
Oaths of Office Act
Occupiers' Liability Act
Partnership Act
Perpetuities Act
Petty Trespass Act
Police Act [2]
Possessory Liens Act
Proceedings Against the Crown Act
Provincial Court Act
Provincial Court Judges Act
Public Inquiries Act
Public Trustee Act
Public Utilities Board Act
Queen's Counsel Act
Reciprocal Enforcement of Judgments Act
Reciprocal Enforcement of Maintenance Orders Act
Regulations Act
Revised Statutes 1980 Act
Road Building Machinery Equipment Act
Sale of Goods Act
Seduction Act
Seizures Act
Summary Convictions Act
Surrogate Court Act
Survival of Actions Act
Survivorship Act
Tort-Feasors Act
Trustee Act
Ultimate Heir Act
Unconscionable Transactions Act
Warehouse Receipts Act
Warehousemen's Lien Act
Wills Act
Women's Institute Act
Woodmen's Lien Act
Young Offender's Act

[1] Jointly administered with the Associate Minister of Public Lands and Wildlife.

[2] Jointly administered with the Solicitor General.